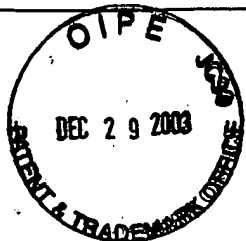


1637

ARNOLD & PORTER



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December 29, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Art Unit: 1637
Examiner: T.E. Strzelecka
Conf. No.: 8452

Re: U.S. Patent Application Serial No. 09/404,520 filed September 23, 1999
Inventors: Yongwei CAO *et al.*
Title: Emericella Nidulans Genome Sequence on Computer
Readable Medium and Uses Thereof
Atty. Docket: 16517.081

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Response to Office Action mailed October 6, 2003;
2. Statement Regarding Sequence Submission;
3. Three CD-Rs containing the amended sequence listing (Computer Readable Form (CRF), Copy 1 and Copy 2); and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Submitted herewith is a sequence listing in triplicate on CD-R: Computer Readable Form (CFR), Copy 1 and Copy 2. Each of the three CD-Rs contains one file called "ENU.corrected SEQ list 12.23.03.rpt.txt" which is 54,707,565 bytes in size (measured in MS-DOS) and was created on December 23, 2003.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing docket number 16517.081. A duplicate copy of this letter is enclosed.

Sincerely,

David R. Marsh (Reg. No. 41,408)
Holly Logue Prutz (Reg. No. 47,755)

Enclosures